

bill to forbid the sale of intoxicating liquors in all Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Wolverine Division, No. 182, Order of Railway Conductors, Jackson, Mich., favoring the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

By Mr. REEDER: Petitions of the Western Retail Implement and Vehicle Dealers' Association, of Abilene, Kans.; also of numerous citizens of the Sixth Congressional district of Kansas, in opposition to the parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Lincoln Post, No. 1, Grand Army of the Republic, Department of Kansas, against the erection of monuments on United States grounds in honor of those who fought against the Union—to the Committee on the Library.

By Mr. STEPHENS of Texas: Papers to accompany House bill 2785, for the relief of Elijah Crudginton—to the Committee on Military Affairs.

By Mr. YOUNG: Petition of the Merchants' Association of New York City, in relation to the ship-subsidy bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of H. J. Stager, Philadelphia, Pa., in relation to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

## SENATE.

[Continuation of session of Thursday, February 19, 1903.]

At 11 o'clock a. m., Saturday, February 21, 1903, the recess having expired, the Senate reassembled in executive session. At 11 o'clock and 20 minutes a. m. the doors were reopened.

### ORDER OF BUSINESS.

Mr. BEVERIDGE. Mr. President, do we have now the regular order of morning business—the presentation of petitions, the reports of committees, the introduction of bills and joint resolutions, and so forth—or is it in order to ask unanimous consent for the present consideration of a bill?

The PRESIDENT pro tempore. As to this legislative day, the regular morning hour has expired, and the Senate is simply now in legislative session.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill (H. R. 16) to provide for the erection of a bronze equestrian statue to the memory of the late Brig. Gen. Count Casimir Pulaski at Washington, D. C.

Mr. PENROSE. Had we not better go on with the morning business?

Mr. BEVERIDGE. That is the question I asked of the President of the Senate just now, and he stated that the morning business for this legislative day had been disposed of.

Mr. PENROSE. That is only a technicality. There is morning business here to be presented.

Mr. BEVERIDGE. I am willing that morning business shall be received.

Mr. BACON. I rise to a point of order, Mr. President. The PRESIDENT pro tempore. The Senator from Georgia will state his point of order.

Mr. BACON. My point of order is that the new legislative day will not begin until the hour of noon by our rules.

The PRESIDENT pro tempore. The new legislative day will not commence until the Senate adjourns.

Mr. CULLOM. And that has not occurred.

The PRESIDENT pro tempore. And that has not yet occurred.

Mr. BACON. That is in accord with the suggestion I was making, and therefore morning business is not now necessarily in order, as I understand.

The PRESIDENT pro tempore. It is not until this legislative day has been concluded.

Mr. BEVERIDGE. I wish to say to the Senator from Pennsylvania [Mr. PENROSE] that I have no objection whatever, of course, to the introduction of bills or anything of that kind. I rose to ask the Chair that very question, and the Chair decided that morning business was not now in order, having been concluded at our last session, and therefore, and only therefore, I asked for the present consideration of a little bill, not to take away from Senators the privilege of introducing bills, reports, or resolutions.

The PRESIDENT pro tempore. The Senator from Indiana [Mr. BEVERIDGE] has the floor.

Mr. BEVERIDGE. Mr. President, I ask unanimous consent for the present consideration of Order of Business 2840, being House bill No. 16.

Mr. PENROSE. I object until the introduction of bills and other morning business has been gone through with.

Mr. BEVERIDGE. I am perfectly willing that shall be done. I only want the Senator from Pennsylvania to understand that I

am entirely in order in making the request I have made, and that it is not a technicality.

The PRESIDENT pro tempore. There is only an hour to be given to legislative business. If there be no objection, the Chair will receive morning business.

### ROCK ISLAND ARSENAL, ILLINOIS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Assistant Secretary of War, submitting an estimate of appropriation for Rock Island Arsenal, Rock Island, Ill., \$185,000, to replace a storehouse destroyed by fire February 11, 1903; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 17046) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (H. R. 9632) for the allowance of claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas, and march from Camp Alger to Thoroughfare Gap, Virginia, as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer soldiers during the war with Spain; and

A bill (H. R. 12141) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States, in relation to pensions to remarried widows," approved March 3, 1902.

### PETITIONS AND MEMORIALS.

Mr. PENROSE presented petitions of the Trinity Lutheran Sunday School, of Milton; of Sunbury Council, No. 31, Daughters of Liberty, of Sunbury; of D. Faust, of Philadelphia; of the congregation of the First United Evangelical Church, of Sunbury; of the congregation of the West Washington Methodist Episcopal Church of Washington; of the congregation of St. Matthew's Lutheran Church of Bloomsburg, and of 745 citizens of Washington, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. GAMBLE presented the petition of D. L. Printup, of Britton, S. Dak., praying for the enactment of legislation to reinstate graduates of the Naval Academy who have been honorably discharged; which was referred to the Committee on Naval Affairs.

He also presented the petition of Rev. O. W. Butterfield, of Groton, S. Dak., praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which was referred to the Committee on Interstate Commerce.

Mr. QUARLES. I present a telegram, in the nature of a petition, from the Merchants and Manufacturers' Association of Milwaukee, Wis., praying for the ratification of the reciprocity treaty with Cuba. I ask that the telegram lie on the table and that it be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table, and to be printed in the RECORD, as follows:

[Telegram.]

MILWAUKEE, WIS., February 20, 1903.

Hon. J. V. QUARLES, United States Senate, Washington, D. C.:

The following unanimously adopted this day by the Merchants and Manufacturers' Association of Milwaukee: "Resolved, That it is the urgent desire of this association that the treaty now pending in the United States Senate for reciprocal relations between this country and Cuba be ratified during the present session of Congress. And the Senators from this State are respectfully requested to use their best endeavors."

E. A. WADHAMS,  
President.

Mr. QUARLES presented a petition of Mellen Division, No. 372, Brotherhood of Locomotive Engineers, of Fond du Lac, Wis., praying for the passage of the so-called Grosvenor anti-injunction bill; which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 211, of Oshkosh, Wis., praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented petitions of Iron Molders' Union No. 286, of Sheboygan; of Machinists' Union No. 501, of Green Bay; of Machinists' Union No. 173, of Eau Claire, and of the Trades and

Labor Council, of Racine, all of the American Federation of Labor, in the State of Wisconsin, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. BURTON presented a petition of the Americus Club, of Manhattan, Kans., praying for the enactment of legislation granting pensions to old and destitute ex-slaves; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the Reformed Presbyterian Church of Hebron, of the congregations of the Methodist Episcopal and Christian churches, of Burroak, and of D. S. Welch and sundry other citizens of Newton, all in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a memorial of Lincoln Post, No. 1, Department of Kansas, Grand Army of the Republic, of Topeka, Kans., remonstrating against the enactment of legislation placing monuments, tablets, or other memorials in any Government buildings or grounds to commemorate the deeds of ex-soldiers of the Confederate army; which was referred to the Committee on Military Affairs.

He also presented a petition of Bookbinders' Local Union, No. 23, American Federation of Labor, of Topeka, Kans., praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of the Commercial Club of Wichita, Kans., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was ordered to lie on the table.

He also presented the petitions of James George and sundry other citizens of Newton, Kans., and the petition of Mrs. Ellen Gray and sundry other citizens of Newton, Kans., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. MASON presented a memorial of the Seattle Bridge Company, of the State of Washington; the sanitary district of Chicago, Ill.; the General Charles Fitz Simons & Connell Company, contractors, of Chicago, Ill.; and of E. T. Williams & Sons, contractors, of Duluth, Minn., remonstrating against the enactment of legislation to renew and extend certain letters patent granted to Alphonso B. Bowers, etc.; which was referred to the Committee on Patents.

He also presented a memorial of the Trades and Labor Council, American Federation of Labor, of Danville, Ill., remonstrating against the enactment of legislation to prohibit the giving of presents, coupons, or promises of gifts with cigars and tobaccos; which was referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 13660) for the relief of Jackson Pryor, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 17th instant proposing to appropriate \$50,000 for the construction of a gravel road from the Shiloh National Military Park to the city of Corinth, Miss., with necessary bridges, etc., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 13605) for the relief of George A. Detchemendy, reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the amendment submitted by Mr. HALE on the 18th instant, proposing to appropriate \$25 for repairing injuries to dwelling house of E. M. Ferguson on Fishers Island, New York, caused by mortar practice at Fort H. G. Wright, N. Y., and proposing to appropriate \$3,806.72 for payment of damages to private property caused by gun firing and mortar practice at Fort Preble, Me., Winthrop, Mass., and Fort Hamilton, N. Y., intended to be proposed to the general deficiency appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. GIBSON. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 6363) to repeal the act providing for the sale of timber and stone lands, the desert-land act, and the commutation provision of the homestead act, to report it without amendment, and to submit a report thereon.

Mr. CLARK of Wyoming. In connection with that report, I desire to say that the views of the minority adverse to the bill will be submitted to the Senate at a later day.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. HARRIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 7341) to authorize the Secretary of the Interior to prescribe rules and regulations for the procurement of clay or gumbo in the Indian Territory from lands belonging to either of the Five Civilized Tribes, reported it without amendment.

Mr. SIMON, from the Committee on Pensions, to whom was referred the bill (H. R. 6065) granting an increase of pension to James Garland, reported it without amendment, and submitted a report thereon.

Mr. PENROSE, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. QUARLES on the 14th instant, proposing to appropriate \$8,000 for the construction of a telephone, cable, or telegraph line from the mainland forming the eastern side of Green Bay, Wisconsin, across Death's Door to the Plum Island life-saving station, and from the said Plum Island life-saving station to Washington Island, Wisconsin, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 13th instant, proposing to appropriate \$90,000 for the construction of a light vessel for Five Fathom Bank, off Delaware Bay, to replace the vessel now on the station, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying letter from the Acting Secretary of the Treasury, referred to the Committee on Appropriations; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16344) granting a pension to Lucinda Lawrence;

A bill (H. R. 1087) granting an increase of pension to Matthew W. Lincoln;

A bill (H. R. 15403) granting an increase of pension to Milton C. Norton;

A bill (H. R. 15404) granting an increase of pension to William M. Hattery;

A bill (H. R. 17119) granting an increase of pension to James Flanagan;

A bill (H. R. 15962) granting a pension to Catharine T. R. Mathews;

A bill (H. R. 4066) granting an increase of pension to Philip Krohn;

A bill (H. R. 5586) granting a pension to Oliver W. Newton; and

A bill (H. R. 17306) granting a pension to Catherine McGuinn.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (H. R. 16727) for the erection of a light-house in Boston Harbor, reported it without amendment.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16201) granting an increase of pension to Jeffrey Hufford;

A bill (H. R. 6876) granting an increase of pension to Thomas B. Faught;

A bill (H. R. 16754) granting an increase of pension to Benjamin F. Hughes; and

A bill (H. R. 15730) granting an increase of pension to Hans A. Grove.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16696) granting an increase of pension to Freeling H. Amick; and

A bill (H. R. 15688) granting an increase of pension to Franklin Williams.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 6505) for the relief of Miss Eliza A. White, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Public Buildings and Grounds, to whom was referred the amendment submitted by Mr. FOSTER of Washington on the 16th instant, proposing to appropriate \$75,000 for the purchase of additional lands and for the construction of additional buildings at the United States penitentiary at McNeils Island, intended to be proposed to the sundry civil appropriation bill, reported it with an amendment, submitted a report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 7361) authorizing the Purcell and Lexington



Street Railway Company to construct and maintain a bridge over the South Canadian River at the city of Purcell, Chickasaw Nation, Ind. T., reported it with amendments, and submitted a report thereon.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the bill (H. R. 16885) to extend to the port of Niagara Falls, N. Y., the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, reported it without amendment.

He also, from the same committee, reported an amendment authorizing the expenditure of sufficient funds remaining of the \$66,000 heretofore appropriated for a survey of Fire Island Inlet, in Great South Bay, New York, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15629) granting an increase of pension to Edward Tattersall; and

A bill (H. R. 16929) granting an increase of pension to William H. Trites.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 7329) to provide for the punishment of offenses upon the high seas, reported it with an amendment, and submitted a report thereon.

Mr. CLAPP. I am authorized by the Committee on Claims, to whom was referred the bill (H. R. 3510) for the relief of the executors of James P. Willett, deceased, late postmaster of the District of Columbia, to report it favorably without amendment. As it is a House bill, I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent for the present consideration of the bill just reported by him. Is there objection?

Mr. BEVERIDGE. I am willing that the bill shall be considered later, but I think upon requests for the present consideration of bills I had the floor first, and I yielded it that morning business might be introduced.

The PRESIDENT pro tempore. Objection is made, and the bill goes to the Calendar.

Mr. BEVERIDGE. I will yield to the Senator from Minnesota immediately after the bill I desire to call up has been disposed of.

Mr. CLAPP. I am directed by the Committee on Indian Affairs, to whom the subject was referred, to report a bill to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, and to ask that it be placed on the Calendar.

The bill (S. 7396) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, was read twice by its title.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. HANNA, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 16138) granting the right of way to the Kenova and Big Sandy Railroad Company through the Government lands at Lock No. 2, Big Sandy River, and at Lock No. 3, Big Sandy River, both in Wayne County, W. Va.; and

A bill (H. R. 14384) to establish a life-saving station at the mouth of Black River, at or near the city of Lorain, in the State of Ohio.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1062) granting an increase of pension to Elias P. Stearns;

A bill (H. R. 6101) granting an increase of pension to Amanda E. McQuiddy;

A bill (H. R. 6470) granting an increase of pension to Shepherd H. King;

A bill (H. R. 11739) granting an increase of pension to Samuel N. Northway;

A bill (H. R. 13316) granting an increase of pension to Benjamin F. Olcott;

A bill (H. R. 13772) granting an increase of pension to Marcus L. Vermillion;

A bill (H. R. 14236) granting an increase of pension to William C. Chatfield;

A bill (H. R. 14439) granting an increase of pension to Franklin Peale;

A bill (H. R. 15665) granting an increase of pension to John H. Carr;

A bill (H. R. 15915) granting an increase of pension to Frank Stafford;

A bill (H. R. 16212) granting an increase of pension to Sanders W. Johnston;

A bill (H. R. 16351) granting an increase of pension to Austin P. Merrell;

A bill (H. R. 16352) to amend the act entitled "An act granting an increase of pension to Mary La Tourrette Stotsenburg," approved June 2, 1900;

A bill (H. R. 16374) granting an increase of pension to Alonzo S. Bowden;

A bill (H. R. 16476) granting a pension to Catherine Rayel;

A bill (H. R. 16538) granting an increase of pension to William W. Downs;

A bill (H. R. 16859) granting a pension to Florence M. Stout;

A bill (H. R. 16996) granting an increase of pension to John Bougher; and

A bill (H. R. 17110) granting an increase of pension to Robert A. Tracy.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (S. 7337) to amend the act of December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," in respect to allotments, reported it without amendment, and submitted a report thereon.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3691) for the relief of James McKenzie, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. MASON, from the Committee on Claims, to whom was referred the bill (H. R. 2637) for the relief of Charles R. Hooper, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 5357) for the relief of William Leech, reported it without amendment.

Mr. MARTIN, from the Committee on Commerce, to whom was referred the bill (S. 7349) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 16th instant proposing to appropriate \$1,500 for the erection of two lights to be placed on the two beacons in the Rappahannock River marking the entrance and channel way into Urbana Creek, Virginia, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 16970) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1904, and for other purposes, to report it with amendments and to submit a written report thereon. I give notice that at an early day I shall call up the bill for consideration.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 7049) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala., reported it without amendment, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 2199) to remove the charge of desertion from the military record of Jonas Albert; and

A bill (H. R. 5028) for the relief of Francis M. Oliver.

#### BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 7387) for establishing further aids to navigation in Delaware Bay and River; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 7388) making an appropriation to the board of trustees of the Philadelphia Museums for the care and installation of the raw and manufactured products and commercial materials for the benefit of the commerce of the State of Pennsylvania; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 7389) granting a pension to Thomas Irvin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 7390) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 7391) for the relief of

Richard J. Kemball; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BURTON introduced a bill (S. 7392) to authorize the construction and maintenance of a dam across the Kansas River within the counties of Shawnee and Wabaunsee, in the State of Kansas; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also introduced a bill (S. 7393) providing for the better separation and utilization of public and private lands within the limits of railroad land grants in the arid and semiarid regions of the State of Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McLAURIN of Mississippi introduced a bill (S. 7394) for the relief of the trustees of the Methodist Episcopal Church South, of Brandon, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MASON (by request) introduced a bill (S. 7395) to define and defend common-law marriage and divorce contracts in the District of Columbia, the Territories, and the colonies of the United States of America; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 7397) for the relief of William H. Corcoran; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

MAJ. JOHN MURPHY.

Mr. ALGER. I ask unanimous consent for the present consideration of the bill (H. R. 1341) to amend the record of Maj. John Murphy.

Mr. BEVERIDGE. I believe I have the right of way if bills upon the Calendar are to be taken up.

The PRESIDENT pro tempore. Will the Senator from Michigan withhold his request until the routine morning business shall have been disposed of? It will take but a short time.

Mr. ALGER. I withdraw the request for the present.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTUS submitted an amendment proposing to relieve from liability the Deposit Savings Association of Mobile, Ala., for the tax of 10 per cent paid out by it previous to the 3d day of March, 1875; proposing to appropriate \$7,394.73 to pay the receiver of said Deposit Savings Association for money heretofore collected by the United States from said association on account of said 10 per cent tax; and proposing to appropriate \$5,100 to pay the receiver of said association for the property of said association sold by the United States on account of said tax of 10 per cent, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate \$20,000 for the completion of a vessel to take the place of the revenue cutter *Washington*, at Philadelphia, Pa., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Commerce.

He also submitted an amendment proposing to increase the salary of one clerk to department at navy-yard, League Island, Pa., from \$1,200 to \$1,400, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment relative to the appointment of assistant paymasters of the United States Navy, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$7,000 for printing and publishing the contributions from the United States National Herbarium, the editions of which shall not be less than 3,000 copies, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$25,000 for experimental rural telephone free delivery under the direction of the Postmaster-General, intended to be proposed by him to the post-office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also submitted an amendment proposing to appropriate \$1,566.52 to reimburse Winfield T. Durbin, late colonel, One hundred and sixty-first Indiana Volunteers, for amount expended in defending cases brought against him in Florida, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TELLER submitted an amendment relative to the appointment, rank, and pay of chaplains in the Navy, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. BURTON submitted an amendment proposing to appropriate \$150,000 to assist N. F. Chamberlain & Co. in raising the battle ship *Maine*, intended to be proposed by him to the naval appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. PLATT of Connecticut submitted an amendment authorizing such modifications of the projects for the improvement of the harbors of New Haven and Bridgeport, Conn., as, in the judgment of the Secretary of War, the commercial interests of the harbors require, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PUBLIC BUILDINGS.

Mr. BATE submitted an amendment intended to be proposed by him to the bill (H. R. 17422) to increase the cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize erection and completion of public buildings, and for other purposes; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. BURROWS submitted an amendment intended to be proposed by him to the bill (H. R. 17422) to increase the cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which was referred to the Committee on Public Buildings and Grounds.

#### GOVERNMENT FOR ISLAND OF GUAM.

Mr. SIMON submitted amendments intended to be proposed by him to the bill (S. 6599) to provide a government for the island of Guam, and for other purposes; which was ordered to be printed.

#### SURVEY OF PENOBSCOT RIVER, MAINE.

Mr. HALE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause an examination and survey to be made of Penobscot River, Maine, with a view to widening the channel from Crosby Narrows to the Bangor and Brewer Bridge, and also near Stearns's Mill.*

#### STATUE TO BRIG. GEN. COUNT CASIMIR PULASKI.

Mr. BEVERIDGE. I now ask unanimous consent for the present consideration of Order of Business 2840, being House bill No. 16.

Mr. PENROSE. I ask what is the title of the bill?

Mr. BEVERIDGE. It is the bill (H. R. 16) to provide for the erection of a bronze equestrian statue to the memory of the late Brig. Gen. Count Casimir Pulaski at Washington, D. C.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent for the present consideration of the bill named by him, which will be read to the Senate for its information.

Mr. PENROSE. Mr. President, I object to the consideration of the bill at this time. I am somewhat astonished at the request of the junior Senator from Indiana in view of the suggestion which has been made regarding this bill. The senior Senator from Indiana [Mr. FAIRBANKS] and I have followed this bill rather closely during the whole session; and we had an arrangement with the chairman of the Committee on the Library [Mr. WETMORE] that when the bill was called up the senior Senator from Indiana, the Senator from Maryland [Mr. McCOMAS], and myself should have an opportunity to submit some remarks on the Polish people. The distinct understanding was that the bill should not be called up without consultation with either one of us, as we desired to submit some remarks upon the measure.

Mr. BEVERIDGE. I have no objection to the Senators doing so.

Mr. PENROSE. I had not expected that we should have a legislative hour this morning, and, so far as I am concerned, I am not prepared to make the remarks which I have in mind upon this bill at this time. I therefore object to its present consideration.

The PRESIDENT pro tempore. Objection is made.

Mr. BEVERIDGE. Mr. President, I rise to a personal explanation. I had not the slightest knowledge of the facts stated by the Senator from Pennsylvania [Mr. PENROSE]. The only reason I called this bill up was because I received a request to do so. I did not know that the Senator from Pennsylvania or any other Senator desired to submit remarks upon the bill. It will be perfectly agreeable to me to have the Senators make remarks upon it; but, as I have stated, I called up the bill because I had a request from some of my constituents to do so. I am willing that the bill shall be considered now or at some other time.

The PRESIDENT pro tempore. Objection is made, and the bill retains its place on the Calendar.



## FORT SMITH RESERVATION, ARK.

Mr. BACON. I ask unanimous consent for the present consideration of the bill (H. R. 15595) confirming and ceding jurisdiction to the State of Arkansas over certain lands formerly in the Fort Smith Reservation in said State, and asserting and retaining Federal jurisdiction over certain other lands in said reservation.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent for the present consideration of the bill named by him, which will be read in full to the Senate for its information.

The Secretary read the bill, as follows:

*Be it enacted, etc.,* That jurisdiction is hereby confirmed and ceded to the State of Arkansas over all those portions of the Fort Smith Reservation which have heretofore been aliened by the United States either to the city of Fort Smith in trust or otherwise, or to other parties; and complete Federal jurisdiction is hereby asserted and retained over all portions of the said reservation that have not been specially aliened.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALDRICH. If there is a report with that bill, I ask that it may be read.

Mr. BACON. Yes; there is a House report.

Mr. ALDRICH. Is there a Senate report?

Mr. BACON. This bill is recommended by the Judiciary Committee of the Senate, and it has passed the House of Representatives. It relates to an insignificant piece of ground in the city of Fort Smith. The House report states that, in the opinion of the committee, jurisdiction has already been ceded over it, but as that has been disputed by some, it has been thought better that this bill should be passed.

Mr. ALDRICH. Very well; I have no objection.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## STATEHOOD BILL.

Mr. QUAY. Mr. President, I desire to make my usual request, with, I presume, the usual result, that on Thursday, the 26th day of this month, at 2 o'clock in the afternoon, a vote shall be taken on the bill known as the omnibus statehood bill, on all amendments then pending, and on all amendments then offered.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that on Thursday, the 26th day of February, at 2 o'clock in the afternoon, the votes may be taken on the bill known as the omnibus statehood bill, on all amendments pending, and all amendments then offered, without further debate. Is there objection?

Mr. DEPEW. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

## MAJ. JOHN MURPHY.

Mr. ALGER. I renew my request for unanimous consent for the consideration at this time of the bill (S. 1341) to amend the record of Maj. John Murphy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That John Murphy, late major of the Fifty-eighth Illinois Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States of date October 8, 1865, and that the Secretary of War be, and he is hereby, authorized to issue for the said Murphy a certificate of honorable discharge in accordance with the terms of this act: *Provided*, That no pay or allowances shall become due or payable to any person by reason of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## CALEB C. VAN SICKELL.

Mr. KEAN. I ask unanimous consent for the present consideration of House bill 16522, a pension bill, which will take but a moment. I will state that the pensioner is over 80 years of age, and it is important that the bill should be promptly acted upon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16522) granting an increase of pension to Caleb C. Van Sickell. It proposes to place on the pension roll the name of Caleb C. Van Sickell, late first lieutenant Company I, Fourth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## LUCY A. HARDING.

Mr. GALLINGER. I am directed by the Committee on Pensions to report favorably two Senate pension bills which have been overlooked. Whilst I have little hope that they will pass the other House, I will ask that they be now considered. They will take but a moment. I report first the bill (S. 1361) granting an increase of pension to Lucy A. Harding, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Lucy A. Harding, widow of Sidney A. Harding, late of Company A, Eighty-third Regiment Indiana Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ALFRED WOODMAN.

Mr. GALLINGER. I now report from the Committee on Pensions, without amendment, the other bill to which I have referred, being the bill (S. 7375) granting an increase of pension to Alfred Woodman, for which I also ask present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Alfred Woodman, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the time, and passed.

## AUSTIN A. YATES.

Mr. BURNHAM. I ask unanimous consent for the present consideration of the bill (H. R. 4178) for the relief of Austin A. Yates.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the proper accounting officers of the Treasury to settle the accounts of Austin A. Yates, late captain, Fourteenth Veteran Reserve Corps, and to give him credit for \$13,537.50, charged to him on the books of the Second Auditor's Office, that sum having been stolen from the safe of his office at Syracuse, N. Y., on the night of March 25, 1865, while he was acting provost-marshal of the twenty-third district of New York; but it shall be made to appear to the satisfaction of the accounting officers that Captain Yates was not responsible for the loss.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MUSCLE SHOALS (ALABAMA) DAM.

Mr. PETTUS. I ask unanimous consent for the consideration at this time of the bill (H. R. 14051) granting the consent of Congress to N. F. Thompson and associates to erect a dam and construct power station at Muscle Shoals, Alabama.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EXECUTORS OF JAMES P. WILLETT.

Mr. CLAPP. I now renew my request for unanimous consent for the consideration of the bill (H. R. 3510) for the relief of the executors of James P. Willett, deceased, late postmaster of the District of Columbia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to the executors of James P. Willett, deceased, late postmaster of the District of Columbia, who lost his life through an open shaft in the new city post-office building on September 30, 1899, \$5,000, to be distributed as provided by the laws of the District of Columbia in cases of recovery of damages for death by negligence.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ALIEN HOLDINGS OF REAL ESTATE IN THE DISTRICT.

Mr. DILLINGHAM. I ask unanimous consent for the present consideration of the bill (S. 6158) to amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that the act referred to be amended so as to extend to aliens the same rights and privileges concerning the acquisition, holding, owning, and disposition of real estate in the District of Columbia as by that act are conferred upon them in respect of real estate in the Territories of the United States.

Mr. KEAN. I should like to have the report accompanying the bill published in the RECORD.

The PRESIDENT pro tempore. The Senator from New Jersey asks that the report be printed in the RECORD. Is there objection? The Chair hears none.

The report submitted by Mr. DILLINGHAM June 19, 1902, is as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 6158) to amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897, having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the Commissioners of the District of Columbia, as will appear by the following letter:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,  
Washington, June 7, 1902.

DEAR SIR: The Commissioners of the District of Columbia have the honor to transmit herewith a draft of a bill entitled "A bill to amend the act entitled 'An act to better define and regulate the rights of aliens to hold and own real estate in the Territories,' approved March 2, 1897," with recommendation for its early enactment.

A bill substantially similar to this was introduced in both Houses of Congress during the first session of the Fifty-sixth Congress at the instance of the Commissioners. The Commissioners were led to request its enactment by the frequency with which individual bills for the relief of aliens holding real estate in the District of Columbia had been presented, and the fact that they had invariably been the subject of favorable report by the Commissioners and of action by Congress.

A copy of the opinion of the attorney for the District at the time the Commissioners submitted the former draft is herewith transmitted.

Very respectfully,

HENRY B. F. MACFARLAND,

President of the Board of Commissioners of the District of Columbia.

Hon. JAMES McMILLAN,

Chairman Committee on the District of Columbia,  
United States Senate.

OFFICE OF THE ATTORNEY DISTRICT OF COLUMBIA,  
Washington, December 28, 1899.

GENTLEMEN: Complying with your request, made in connection with report on the bill for the relief of John A. Narjes (S. 115, Fifty-sixth Congress, first session), I have the honor to submit herewith the draft of a bill to amend the act of Congress approved March 2, 1897, entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," extending its provisions to aliens acquiring and owning real estate in the District of Columbia.

By the act to restrict the ownership of real estate in the Territories and the District of Columbia to American citizens, approved March 3, 1887 (24 Stat. 476), Congress placed the District of Columbia under identically the same inhibitions in respect to the subject-matter as the Territories.

Thereafter, by act approved March 9, 1888 (25 Stat. 45), it amended the act of 1887 so that it should not apply or operate in the District of Columbia so far as it relates to the ownership of legations or residences by representatives of foreign governments or attaches thereof.

Since the passage of the first-named act numerous applications for individual relief from its operation have been made to Congress, and special acts have been passed granting such relief. So far as my knowledge extends no such application has been refused.

In my judgment, this has unnecessarily consumed much of the valuable time of Congress.

I am unable to understand why the District of Columbia should not be put upon equally as good footing as the Territories in respect of this matter, and I am of the opinion that you should request that the provisions of act approved March 2, 1897, "to better define and regulate the rights of aliens to hold and own real estate in the Territories" be extended to the District of Columbia.

The act of 1887 affects alien residents of the District, while the act of 1897 exempts aliens who are bona fide residents from its operations.

Moreover, the act of 1897 does not apply to lots in any incorporated or platted city, town, or village in the Territories, being a plain manifestation that the mischief to be remedied was not ownership of small parcels of land, such as city lots.

The act of 1887 forfeits to the United States all property held or owned in violation of its provisions, while the act of 1897 allows aliens to dispose of their real estate before the institution of escheat proceedings, and even after sale under such proceedings the proceeds are subject to the order of the alien owner for a period of one year.

If, for any reason, Congress should determine that the time has not arrived for the absolute repeal of the act of 1887, so far as the District of Columbia is concerned, it seems to me that no good reason can be assigned for subjecting the District to continued loss in investment in or improvement of its real estate consequent upon the stringent provisions of the act of 1887. The condition would be materially ameliorated by the proposed amendment.

Very respectfully,

A. B. DUVALL,

Attorney District of Columbia.

The COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3560) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, and amended April 1, 1896.

Mr. FORAKER. I move that the Senate disagree to the amendments of the House of Representatives and request a conference with the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. FORAKER, Mr. MILLARD, and Mr. FOSTER of Louisiana were appointed.

#### LAVINIA COOK.

Mr. CLAY. I ask unanimous consent for the present consideration of the bill (H. R. 1027) granting a pension to Lavinia Cook.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Lavinia Cook, widow of Reuben Cook, late of Captain Loyall's company, Georgia Volunteers, Creek Indian war, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CUMBERLAND RIVER BRIDGE AT CARTHAGE, TENN.

Mr. CARMACK. I ask unanimous consent for the consideration of the bill (H. R. 16909) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 5 of the act referred to so as to make it read as follows:

That this act shall be null and void if said bridge is not commenced within one year and completed within three years from the 1st day of April, 1903.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ARKANSAS RIVER BRIDGE AT MOORS ROCK, ARKANSAS.

Mr. JONES of Arkansas. I ask unanimous consent for the consideration of the bill (H. R. 17204) to authorize the construction of a bridge across the Arkansas River at or near Moors Rock, in the State of Arkansas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LANDS SEGREGATED FOR RESERVOIR PURPOSES.

Mr. GIBSON. I ask unanimous consent for the present consideration of the bill (S. 5279) authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that any or all of the lands heretofore included within reservations for reservoir purposes, made in accordance with the law approved October 2, 1888, and subsequent acts, may, in the discretion of the Secretary of the Interior, be thrown open to entry and settlement under the land laws as though such reservation had never been made if it has been ascertained by the Secretary of the Interior that such lands, or portions of tracts, are not needed for reservoir purposes, and can not probably be used in the future for such purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PEARL RIVER BRIDGE AT SMITHS FERRY, MISS.

Mr. McLAURIN of Mississippi. I ask unanimous consent for the immediate consideration of the bill (H. R. 16509) to authorize the Pearl and Leaf Rivers Railroad Company to bridge Pearl River in the State of Mississippi.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CIVIL GOVERNMENT FOR THE ISLAND OF GUAM.

Mr. FORAKER. Mr. President, some days ago the bill (S. 6599) to provide a government for the island of Guam, and for other purposes, was taken up by unanimous consent and considered. The bill was read with the amendments reported by the committee. It then went over on the request of the Senator from Massachusetts [Mr. HOAR], who said he wanted to offer an amendment to the amendment of the committee relating to the extradition of fugitives from justice. The Senator from Massachusetts is not present in the Chamber, but before leaving he left with me the amendment, saying he would be entirely satisfied with the bill if his amendment is adopted. I wish to accept the amendment. I ask the Senate to resume the consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill, which had been reported from the Committee on Pacific Islands and Porto Rico with amendments.

The first amendment was to insert as a new section the following:

SEC. 4. That the provisions of section 1014 of the Revised Statutes, so far as applicable, shall apply throughout the United States for the arrest and



removal therefrom to said island of any fugitive from justice charged with the commission of any crime or offense against the United States within said island, and shall apply within said island for the arrest and removal therefrom to the United States of any fugitive from justice charged with the commission of any crime or offense against the United States. Such fugitive may, by any judge or magistrate of said island, and agreeably to the usual mode of process against offenders therein, be arrested and imprisoned, or bailed, as the case may be, pending the issuance of a warrant for his removal to the United States, which warrant it shall be the duty of a judge of the court of first instance seasonably to issue and of the officer or agent of the United States designated for the purpose to execute. Such officer or agent, when engaged in executing such warrant without said island, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safe-keeping and the execution of the warrant.

Mr. FORAKER. On behalf of the Senator from Massachusetts [Mr. HOAR], I offer an amendment to the amendment.

The PRESIDENT pro tempore. The Senator from Ohio, for the Senator from Massachusetts, offers an amendment to the amendment, which will be stated.

The SECRETARY. It is proposed to add at the end of section 4 the following:

*Provided*, That whenever the extradition of a fugitive from justice from the United States to said island shall be sought, the proceedings shall be in accord with the provisions of section 5270 of the Revised Statutes and of section 5 of chapter 378 of the statutes of 1882, approved August 3, 1882.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Pacific Islands and Porto Rico was to insert as a new section the following:

SEC. 5. That the provisions of sections 5278 and 5279 of the Revised Statutes, so far as applicable, shall apply to said island, which, for the purposes of said sections, shall be deemed a Territory within the meaning thereof.

The bill was reported to the Senate as amended.

Mr. FORAKER. I am informed that the Senator from Oregon [Mr. SIMON] this morning offered an amendment to the bill. I was not aware of it; and inasmuch as he is not now in the Chamber, I will ask that the bill may go over.

The PRESIDENT pro tempore. The bill will go over, in accordance with the request of the Senator from Ohio.

#### CIVIL GOVERNMENT FOR THE ISLAND OF TUTUILA, ETC.

Mr. CULLOM. I wish, if the hour has expired, to move that the Senate resume the consideration of executive business. I should like to inquire if the hour has expired?

The PRESIDENT pro tempore. The Chair thinks it has very nearly expired.

Mr. CULLOM. Then I move that the Senate resume its executive session.

Mr. FORAKER. I wish the Senator from Illinois would withhold the motion for a moment.

The PRESIDENT pro tempore. There remain five minutes of the hour.

Mr. CULLOM. I withdraw the motion.

Mr. FORAKER. I understood we were to have an hour in which to consider legislative business, and there is another bill, substantially like the one which has just been considered, providing civil government for the island of Tutuila, which ought to be passed along with the other bill.

While I am waiting for the Senator from Oregon to return to the Chamber, I ask unanimous consent for the consideration of the bill (S. 7054) to provide a government for the island of Tutuila and the islands adjacent thereto within the jurisdiction of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CULLOM. I should like to know from which committee the bill comes.

The PRESIDENT pro tempore. It was reported by the Senator from Ohio [Mr. FORAKER] from the Committee on Pacific Islands and Porto Rico.

Mr. FORAKER. It was unanimously reported by the committee.

Mr. BACON. I do not wish to object to the consideration of the bill, but I desire to suggest to the Senator from Ohio that it would be difficult to dispose of it without some little discussion.

Mr. FORAKER. Of course, there is no time for discussion now. If the Senator wants to debate the bill, and will allow me to offer to this bill the amendments which were offered to the other, the bill may go over until there is an opportunity to debate it.

Mr. BACON. I have no objection to that course, if the Senate will give it that direction, but there are some very grave questions arising on this bill.

Mr. FORAKER. Very well.

Mr. BACON. I will say to the Senator that I think, so far as the island of Guam is concerned, there ought to be, of course, some legislation, but whether this is the particularly proper legislation is another question. I should be very glad to cooperate with him, so far as is in my power, when we have time for its consideration, in erecting a proper civil government in Guam.

As to Tutuila, I think there are other questions; but I will not now interrupt the Senator, as he simply desires, I understand, to offer certain amendments to the bill.

Mr. FORAKER. I called up the bill providing for civil government in Guam, and it has been read and amended and reported to the Senate as amended. I asked that it might go over until the Senator from Oregon [Mr. SIMON], who wants to offer an amendment, could come into the Chamber; and while waiting for him, I asked that the bill relating to Tutuila be taken up and read. I now wish to offer the same amendments to this bill that were attached to the bill as to Guam. I offer the same amendments, including the one offered by me on behalf of the Senator from Massachusetts [Mr. HOAR], and after they are adopted I will ask that the bill may go over.

The PRESIDENT pro tempore. The amendments submitted by the Senator from Ohio will be read.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 4. That the provisions of section 1014 of the Revised Statutes, so far as applicable, shall apply throughout the United States for the arrest and removal therefrom to said islands of any fugitive from justice charged with the commission of any crime or offense against the United States within said islands, and shall apply within said islands for the arrest and removal therefrom to the United States of any fugitive from justice charged with the commission of any crime or offense against the United States. Such fugitive may, by any judge or magistrate of said islands, and agreeably to the usual mode of process against offenders therein, be arrested and imprisoned, or bailed, as the case may be, pending the issuance of a warrant for his removal to the United States, which warrant it shall be the duty of a judge of the court of first instance seasonably to issue and of the officer or agent of the United States designated for the purpose to execute. Such officer or agent, when engaged in executing such warrant without said islands, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safe-keeping and the execution of the warrant: *Provided*, That whenever the extradition of a fugitive from justice from the United States to said islands shall be sought, the proceedings shall be in accord with the provisions of section 5270 of the Revised Statutes, and of section 5 of chapter 378 of the statutes of 1882, approved August 3, 1882.

The amendment was agreed to.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 5. That the provisions of sections 5278 and 5279 of the Revised Statutes, so far as applicable, shall apply to said island, which, for the purposes of said sections, shall be deemed a Territory within the meaning thereof.

The amendment was agreed to.

Mr. FORAKER. Let the bill be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. FORAKER. I ask that the bill may go over.

Mr. BACON. I ask that the bill as amended may be printed.

Mr. FORAKER. Very well.

The PRESIDENT pro tempore. And also the bill as to Guam?

Mr. FORAKER. Both.

Mr. BACON. Both.

The PRESIDENT pro tempore. Both bills will be printed as amended, if there be no objection. The Chair hears none.

#### HOUSE BILL REFERRED.

The bill (H. R. 17046) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 19th instant approved and signed the following acts:

An act (S. 149) to provide for holding of terms of court in the district of Utah;

An act (S. 5678) providing for record of deeds and other conveyances and instruments in writing in Indian Territory, and for other purposes; and

An act (S. 7053) to further regulate commerce with foreign nations and among the States.

#### ANTHRACITE COAL STRIKE COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Printing, and ordered to be printed.

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Anthracite Coal Strike Commission, with an accompanying draft of a joint resolution providing for the printing of the report of said Commission, and approve of the suggestion therein contained.

THEODORE ROOSEVELT.

WHITE HOUSE, February 21, 1903.

#### POST-OFFICE APPROPRIATION BILL.

Mr. CULLOM. I move that the Senate resume its executive session.

Mr. MASON. Will my colleague yield to me for a moment, that I may give a notice?

Mr. CULLOM. I yield.

Mr. MASON. I give notice that I will ask the Senate at the earliest opportunity to take up the bill (H. R. 16990) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1904, and for other purposes. I should like to have it taken up this afternoon.

Mr. KEAN. That will include the statehood bill.

Mr. MASON. The bill has been enlarged somewhat. If it is not taken up this afternoon, on Monday, immediately after the conclusion of the routine morning business, I will ask the Senate to proceed to its consideration.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After four hours and five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, February 23, 1903, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate February 21, 1903.*

##### MAJOR-GENERAL.

Brig. Gen. Henry C. Merriam, United States Army, retired, to be major-general, United States Army, February 19, 1903.

##### PROMOTIONS IN THE ARMY.

###### Pay Department.

Maj. William F. Tucker, paymaster, to be deputy paymaster-general, with the rank of lieutenant-colonel, February 19, 1903, vice Baird, appointed brigadier-general.

###### Corps of Engineers.

Lieut. Col. Oswald H. Ernst, Corps of Engineers, to be colonel, February 20, 1903, vice Mansfield, appointed brigadier-general.

Maj. Daniel W. Lockwood, Corps of Engineers, to be lieutenant-colonel, February 20, 1903, vice Ernst, promoted.

###### Infantry Arm.

Lieut. Col. Owen J. Sweet, Twenty-first Infantry, to be colonel, February 18, 1903, vice Foote, Twenty-eighth Infantry, appointed brigadier-general.

Maj. Cornelius Gardener, Thirteenth Infantry, to be lieutenant-colonel, February 18, 1903, vice Sweet, Twenty-first Infantry, promoted.

Capt. William Black, Twenty-fourth Infantry, to be major, February 18, 1903, vice Gardener, Thirteenth Infantry, promoted.

First Lieut. Berkeley Enochs, Twenty-fifth Infantry, to be captain, February 18, 1903, vice Black, Twenty-fourth Infantry, promoted.

##### PROMOTIONS IN THE NAVY.

Midshipmen John W. Woodruff and Ralph M. Griswold, to be assistant naval constructors in the Navy from the 12th day of February, 1903, to fill vacancies existing in that grade on that date.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 21, 1903.*

##### COMMISSIONER OF CORPORATIONS.

James Rudolph Garfield, of Ohio, to be Commissioner of Corporations in the Department of Commerce and Labor.

##### MEMBER OF MISSISSIPPI RIVER COMMISSION.

Lieut. Col. Oswald H. Ernst, Corps of Engineers, United States Army, for appointment as a member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes, near its mouth, to its headwaters."

##### AUDITOR FOR PORTO RICO.

Regis H. Post, of New York, to be auditor of the island of Porto Rico.

##### SECRETARY OF LEGATION.

Paul Nash, of New York, to be secretary of the legation and consul-general of the United States at Bangkok, Siam.

##### REGISTERS OF THE LAND OFFICE.

Ole Serungard, of North Dakota, to be register of the land office at Devils Lake, N. Dak.

James L. McIntosh, jr., of Nebraska, to be register of the land office at Sidney, Nebr.

##### RECEIVERS OF PUBLIC MONEYS.

Henry E. Baird, of North Dakota, to be receiver of public moneys at Devils Lake, N. Dak.

John Satterlund, of North Dakota, to be receiver of public moneys at Bismarck, N. Dak.

Thomas E. Fox, of Willow City, N. Dak., to be receiver of public moneys at Minot, N. Dak.

Robley D. Harris, of Nebraska, to be receiver of public moneys at Sidney, Nebr.

##### MARSHAL.

George H. Green, of Texas, to be United States marshal for the northern district of Texas.

##### COLLECTOR OF CUSTOMS.

George W. McCowan, of New Jersey, to be collector of customs for the district of Bridgeton, in the State of New Jersey.

##### SURVEYORS OF CUSTOMS.

John W. Madison, of New York, to be surveyor of customs for the port of Port Jefferson, in the State of New York.

William Barnes, jr., to be surveyor of customs for the port of Albany, in the State of New York.

##### APPOINTMENTS IN THE ARMY.

###### GENERAL OFFICERS.

Brig. Gen. Joseph C. Breckinridge, Inspector-General, to be major-general, United States Army.

Brig. Gen. Marshall I. Ludington, Quartermaster-General, to be major-general, United States Army.

Brig. Gen. James F. Wade, United States Army, to be major-general, United States Army.

Col. Wallace F. Randolph, Chief of Artillery, to be Chief of Artillery with the rank of brigadier-general.

Thomas H. Carpenter, late a captain, Seventeenth Infantry, United States Army, to be a captain of infantry, February 14, 1903.

###### INFANTRY ARM.

###### To be second lieutenants.

Julius S. Turrill, of Vermont (now first lieutenant, United States Marine Corps), February 17, 1903.

Walter Williamson Merrill, of Ohio, February 17, 1903.

Reginald H. Kelley, of California, February 17, 1903.

Edward Huguenin Pearce, of California, February 17, 1903.

Claude Newman Feamster, of Texas, February 17, 1903.

Cyrus Ralph Street, of California (now a private, Sixty-seventh Company, Coast Artillery), February 17, 1903.

Clarence Alexis Eustaphie, of New York, February 17, 1903.

Joseph O. Mauborgne, of New York, February 17, 1903.

Joseph M. Cummins, of Missouri, February 17, 1903.

Thomas Ceborn Musgrave, of Texas, February 17, 1903.

Converse Rising Lewis, of Louisiana, February 17, 1903.

##### PROMOTIONS IN THE ARMY.

###### Cavalry Arm.

Lieut. Col. Winfield S. Edgerly, Seventh Cavalry, to be colonel, February 17, 1903.

Maj. Walter S. Schuyler, Second Cavalry, to be lieutenant-colonel, February 17, 1903.

Capt. Augustus P. Blocksom, Seventh Cavalry, to be major, February 17, 1903.

First Lieut. Alfred E. Kennington, Tenth Cavalry, to be captain, February 17, 1903.

##### MEDICAL DEPARTMENT.

1. Lieut. Col. John D. Hall, deputy surgeon-general, to be assistant surgeon-general, with the rank of colonel, February 13, 1903.

2. Maj. Henry S. Kilbourne, surgeon, to be deputy surgeon-general, with the rank of lieutenant-colonel, February 13, 1903.

3. Capt. Joseph T. Clarke, assistant surgeon, to be surgeon, with the rank of major, February 13, 1903.

##### APPOINTMENTS IN THE NAVY.

Howard D. Lamar, a citizen of Indiana, to be an assistant paymaster in the Navy from the 17th day of February, 1903.

Frederick H. Lemly, a citizen of North Carolina, to be an assistant paymaster in the Navy from the 17th day of February, 1903.

##### PROMOTIONS IN THE NAVY.

1. Passed Assistant Paymaster Ulysses G. Ammen, to be a paymaster in the Navy from the 28th day of April, 1902.

2. Assistant Paymaster Trevor W. Leutze, to be a passed assistant paymaster in the Navy from the 28th day of April, 1902.



3. Assistant Paymaster McGill R. Goldsborough, to be a passed assistant paymaster in the Navy from the 1st day of June, 1902.
4. Paymaster John R. Martin, to be a pay inspector in the Navy from the 18th day of June, 1902.
5. Passed Assistant Paymaster George Brown, jr., to be a paymaster in the Navy from the 13th day of June, 1902.
6. Assistant Paymaster David V. Chadwick, to be a passed assistant paymaster in the Navy from the 13th day of June, 1902.
7. Passed Assistant Paymaster Walter B. Izard, to be a paymaster in the Navy from the 1st day of July, 1902.
8. Assistant Paymaster Eugene C. Tobey, to be a passed assistant paymaster in the Navy from the 1st day of July, 1902.
9. Paymaster Mitchell C. McDonald, to be a pay inspector in the Navy from the 9th day of September, 1902.
10. Passed Assistant Paymaster David Potter, to be a paymaster in the Navy from the 9th day of September, 1902.
11. Paymaster Eustace B. Rogers, to be a pay inspector in the Navy from the 21st day of September, 1902.
12. Passed Assistant Paymaster Samuel Bryan, to be a paymaster in the Navy from the 21st day of September, 1902.
13. Assistant Paymaster Jonathan Brooks, to be a passed assistant paymaster in the Navy from the 21st day of September, 1902.
14. Paymaster Leeds C. Kerr, to be a pay inspector in the Navy from the 28th day of September, 1902.
15. Passed Assistant Paymaster George M. Lukesh, to be a paymaster in the Navy from the 28th day of September, 1902.
16. Assistant Paymaster Dexter Tiffany, jr., to be a passed assistant paymaster in the Navy from the 9th day of November, 1902.
17. Paymaster Richard T. M. Ball, to be a pay inspector in the Navy from the 22d day of November, 1902.
18. Passed Assistant Paymaster John W. Morse, to be a paymaster in the Navy from the 22d day of November, 1902.
19. Assistant Paymaster Franklin P. Sackett, to be a passed assistant paymaster in the Navy from the 22d day of November, 1902.
20. Paymaster Charles S. Williams, to be a pay inspector in the Navy from the 10th day of December, 1902.
21. Passed Assistant Paymaster Arthur F. Huntington, to be a paymaster in the Navy from the 10th day of December, 1902.
22. Assistant Paymaster David M. Addison, to be passed assistant paymaster in the Navy from the 10th day of December, 1902.
23. Paymaster Thomas J. Cowie, to be a pay inspector in the Navy, from the 5th day of January, 1903.
24. Passed Assistant Paymaster Harry H. Balthis, to be a paymaster in the Navy, from the 5th day of January, 1903.
25. Paymaster John S. Carpenter, to be a pay inspector in the Navy, from the 11th day of January, 1903.

## POSTMASTERS.

## CONNECTICUT.

Frederick L. Tibbals, to be postmaster at Milford, in the county of New Haven and State of Connecticut.  
John H. Guernsey, to be postmaster at Waterbury, in the county of New Haven and State of Connecticut.

## FLORIDA.

William H. Northup, to be postmaster at Pensacola, in the county of Escambia and State of Florida.

## GEORGIA.

Robert L. Williams, to be postmaster at Griffin, in the county of Spalding and State of Georgia.

## IOWA.

Earl M. Cass, to be postmaster at Sumner, in the county of Bremer and State of Iowa.  
L. H. Henry, to be postmaster at Charles City, in the county of Floyd and State of Iowa.  
Edwin W. McCracken, to be postmaster at Scranton, in the county of Greene and State of Iowa.

## MARYLAND.

William T. Coulson, to be postmaster at Port Deposit, in the county of Cecil and State of Maryland.

## MASSACHUSETTS.

Ermina L. Evans, to be postmaster at Ashburnham, in the county of Worcester and State of Massachusetts.

## MICHIGAN.

Horace L. Delano, to be postmaster at Muskegon, in the county of Muskegon and State of Michigan.  
Edwin J. March, to be postmaster at Hillsdale, in the county of Hillsdale and State of Michigan.

Herbert E. Lindsley, to be postmaster at Clinton, in the county of Lenawee and State of Michigan.

## MISSISSIPPI.

John H. Cook, to be postmaster at Ellisville, in the county of Jones and State of Mississippi.

## NEW YORK.

John J. Taylor, to be postmaster at Cornwall on the Hudson, in the county of Orange and State of New York.  
George E. Johnson, to be postmaster at North Tarrytown, in the county of Westchester and State of New York.  
James A. Wilson, to be postmaster at Sacket Harbor, in the county of Jefferson and State of New York.

## OHIO.

Elias R. Monfort, to be postmaster at Cincinnati, in the county of Hamilton and State of Ohio.  
H. B. Wisner, to be postmaster at Berea, in the county of Cuyahoga and State of Ohio.  
Homer S. Kent, to be postmaster at Chagrin Falls, in the county of Cuyahoga and State of Ohio.  
Seward L. Bowman, to be postmaster at Lorain, in the county of Lorain and State of Ohio.

## PENNSYLVANIA.

Clark B. Bailey, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania.  
William W. Wren, to be postmaster at Boyertown, in the county of Berks and State of Pennsylvania.  
Thomas H. Bailey, to be postmaster at Mansfield, in the county of Tioga and State of Pennsylvania.  
G. Clinton Williams, to be postmaster at Spring City, in the county of Chester and State of Pennsylvania.  
Lily Watters, to be postmaster at Evans City, in the county of Butler and State of Pennsylvania.  
John F. Austin, to be postmaster at Corry, in the county of Erie and State of Pennsylvania.  
Lucius Rogers, to be postmaster at Kane, in the county of McKean and State of Pennsylvania.  
William P. Bach, to be postmaster at Pottstown, in the county of Montgomery and State of Pennsylvania.  
William W. Kemble, to be postmaster at Tidioute, in the county of Warren and State of Pennsylvania.

## SOUTH DAKOTA.

George H. Few, to be postmaster at Flandreau, in the county of Moody and State of South Dakota.  
William W. Downie, to be postmaster at Milbank, late Millbank, in the county of Grant and State of South Dakota.

## TENNESSEE.

Gus A. McLane, to be postmaster at Lewisburg, in the county of Marshall and State of Tennessee.

## TEXAS.

Edward Blanchard, to be postmaster at San Angelo, in the county of Tom Green and State of Texas.  
James Larson, to be postmaster at Fredericksburg, in the county of Gillespie and State of Texas.  
Denny E. Walshe, to be postmaster at Grand Saline, in the county of Van Zandt and State of Texas.  
William J. Walters, to be postmaster at Hereford, in the county of Deaf Smith and State of Texas.  
R. G. Flato, to be postmaster at Shiner, in the county of Lavaca and State of Texas.  
William E. Sayers, sr., to be postmaster at Bay City, in the county of Matagorda and State of Texas.  
Seth B. Strong, to be postmaster at Houston, in the county of Harris and State of Texas.  
Harry Harris, to be postmaster at Gatesville, in the county of Coryell and State of Texas.  
Marion S. French, to be postmaster at Alvin, in the county of Brazoria and State of Texas.  
William H. Harvey, to be postmaster at Belton, in the county of Bell and State of Texas.  
H. H. Andrews, to be postmaster at Dublin, in the county of Erath and State of Texas.  
J. S. Richard, to be postmaster at Itasca, in the county of Hill and State of Texas.  
Thomas Hall, to be postmaster at Palestine, in the county of Anderson and State of Texas.

## VERMONT.

L. Downer Hazen, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.